## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

DONNA CURLING, et al.,

:

Plaintiffs,

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v. : CIVIL ACTION NO. : 1:17-CV-2989-AT

BRAD RAFFENSPERGER, et al.,

:

Defendants. :

## **ORDER**

This matter is before the Court on the State Defendants' Response to Coalition Plaintiffs' Status Report [Doc. 362]. So that the Court understands the scope of the elections to be held, the Court **ORDERS** the State Defendants to provide the following additional information **NO LATER THAN APRIL 22, 2019**:

(1) The State Defendants are directed to identify for each of the 115 counties<sup>1</sup> that the Secretary of State's Office anticipates will be holding elections in 2019 (and using DREs) as well as each of the specific municipalities that will be holding electoral contests the following information:

<sup>&</sup>lt;sup>1</sup> At the April 9, 2019 hearing, Defendants initially estimated there were 115 counties scheduled to hold elections using DREs in 2019. Following the hearing, Defendants obtained information from the Georgia Municipal Association identifying 324 municipalities with potential elections in 2019.

- (a) For each county election: the name of the county, each office/position for which an election will be held and whether the electoral contest is a partisan one or not; the nature of each SPLOST (if known) to be voted upon (i.e. county public works, public schools, etc); and the anticipated date of each election identified.
- (b) For each municipal election: the name of the municipality and the name of the county where it is located; each office/position for which an election will be held and whether the electoral contest is a partisan one or not; the nature of any SPLOSTS (if known) to be voted upon (i.e. public schools, etc);
- (2) The State Defendants shall provide similar information as to that identified in paragraph (1) above, including information as to any state office elections, e.g., for anticipated vacancies in state legislative offices. Specifically, Defendants are directed to identify each of the districts and positions involved, whether the contest is a partisan one, the dates of the elections, including primaries and general elections, and the counties embraced within each identified legislative district;
- (3) The State Defendants are directed to confirm whether the Secretary of State's office will be responsible for working with counties to coordinate voter information, preparation of the ballot, etc for both county and municipal elections;

(4) The State Defendants are directed to clarify whether municipalities — not the counties — are responsible for provision of voting equipment for municipal elections and preparation for elections, vote counts, and interface with the Secretary of State's office regarding election operations and vote counts. If instead, these duties are ones that the counties will assume primary responsibility for with input and assistance as needed from municipalities, the State Defendants shall confirm such. If the State Defendants have a different answer altogether, they are directed to clarify this answer.

**IT IS SO ORDERED** this 16th day of April, 2019.

Amy **T**otenb<mark>erg</mark>

**United States District Judge**